



# **Open Enrollment Handbook And Application**

## **2011-2012 School Year**

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## TABLE OF CONTENTS

Topic	Page
Procedural Questions	3
<b>Timelines / Deadlines / Good Cause</b>	4
Pervasive Harassment	5
<b>Eligibility Guidelines</b>	7
<b>Instructions for Parents / Guardians</b>	9
<b>Instructions for School Districts</b>	10
Billing	10
Foster Care	11
Certified Enrollment Coding	12
Transportation Assistance Guidelines	13
Legal Code and Contact Information	15

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# Questions and Answers

## Procedural Questions

### 1. Question: What is open enrollment?

**Answer:** It is a cost free option by which parents/guardians residing in an IOWA district may enroll their children into another Iowa school district under the terms and conditions of Iowa Code section 282.18 and the administrative rules of the Iowa Department of Education, 281 Iowa Administrative Code Chapter 17.

### 2. Question: How does a parent / guardian file for open enrollment?

**Answer:** The parent / guardian must complete an application form that is available in the central office of Iowa school districts. The form is also available via the Department's web site under Open Enrollment. The completed form must be filed with both the resident and receiving district by March 1 of the year preceding the school year for which open enrollment is desired for students entering grades 1 through 12. The deadline for kindergarten students is September 1.

### 3. Question: Who approves or denies open enrollment requests?

**Answer:** The RECEIVING district has the authority to accept or deny the application unless one of the following conditions exists. If one of the following conditions applies, the RESIDENT district has the authority to act on the application.

- a. The resident district has a diversity plan.
- b. The applicant alleges pervasive harassment.
- c. The applicant alleges a severe health need that cannot be served in the home district.

	Receiving District	Resident District
New open enrollment		
1. OE filed by March 1	X	
2. OE filed <u>after</u> March 1	X	
3. Applicant alleges pervasive harassment or severe health need.		X
4. Resident district has a diversity plan.		X

4. **Question: May a student who is presently open enrolled into one receiving district change enrollment to a different receiving district?**

**Answer:** Yes. In such a case, the parent / guardian files an OE application with the district the student is currently attending (receiving district) and the district the student wants to attend (alternate receiving district). The new district (alternate receiving district) will notify the parents of acceptance or denial. The due date for application is March 1 unless there is a circumstance that constitutes good cause (see #10 for explanation of good cause).

5. **Question: May an open enrolled student return to the district of residence?**

**Answer:** Yes. A pupil that is open enrolled may return to the district of residence, and enroll, at any time (unless under suspension or expulsion). The parent or guardian must notify the district of residence and the receiving district in writing of the decision to enroll the pupil in the district of residence. A 90-day period of athletic ineligibility accompanies the transfer from district to another.

6. **Question: Must the sending and receiving districts be contiguous to each other?**

**Answer:** No. However, transportation assistance is only applicable when open enrollment is to a contiguous receiving district.

7. **Question: Who is responsible for school transportation for an open enrolled student?**

**Answer:** The general rule is that the parent or guardian is responsible for transporting the student to and from the receiving district. It is also possible for parents to transport the child to a point on an existing school bus route of the receiving district. The receiving district may not send its buses into the sending district to transport an open enrolled student unless the boards of both districts agree.

If an open enrolled student's family qualifies economically for transportation assistance, and **if the sending and receiving districts are contiguous**, it is the responsibility of the sending district to arrange for transportation assistance if the cost does not exceed the average per pupil cost. The sending district may meet this obligation by a) providing reimbursement to the parent / guardian; b) by providing the transportation directly; c) by contracting with the receiving district or another third party to provide the transportation. The cost of the transportation is deducted from the open enrollment tuition.

8. **Question: What are the economic eligibility requirements for transportation?**

**Answer:** The student is eligible if the household income of the parent / guardian is at or below the federal poverty guidelines for household size. These guidelines are adjusted annually, and are provided to districts each year. (Refer to the chart on page 14).

9. **Question: May a parent / guardian designate a particular attendance center for enrollment within the receiving district?**

**Answer:** No. Open enrollment is to another district, not to a specified attendance center. The receiving district has discretion to determine which attendance center an open enrolled student shall attend. However, the receiving district may allow the parent / guardian to state a preference as to an attendance center.

### Timelines / Deadlines / Good Cause

10. **Question: Are there any exceptions to the March 1 deadline?**

**Answer:** Yes. An open enrollment request for a prospective **kindergarten** student may be filed with the receiving district by September 1 of the school year of enrollment into kindergarten.

In addition, the following circumstances are considered "good cause" and are acceptable conditions for a timeline waiver **IF** the change occurred / began **AFTER** March 1.

- Change in family district of residence
- Change in the marital status of the student's parents resulting in a change in resident district
- Placement of the child in foster care resulting in a change of residence
- Adoption
- Participation in a foreign exchange program
- Participation in a substance abuse or mental health treatment program resulting in a change of residence
- Serious health need (see #12)
- Pervasive Harassment (see #11)
- Failure of district negotiations to reorganization or rejection of proposed reorganization plan after March 1
- Failure of district negotiations for whole grade sharing or rejection of whole grade sharing agreement after March 1\*
- Loss of accreditation or revocation of a private school or public charter school contract after March 1

*\*If good cause is related to change in status of child's resident district, open enrollment request must be filed within 45 days of last board action or 30 days of certification of an election, whichever is applicable.*

**11. Question: What constitutes pervasive harassment?**

**Answer:** The resident district determines if the applicant qualifies under the criteria of pervasive harassment. The following guidelines are used to determine if an applicant qualifies under the "good cause" provision. A parent or guardian who files an application for open enrollment after the March 1 deadline and alleges repeated acts of harassment is entitled to a hearing before the resident school board to try to prove that the application should be granted.

1. The harassment must have occurred after March 1 or the student or parent is able to demonstrate that the extent of the harassment could not have been known until after March 1.
2. The harassment must be specific electronic, written, verbal, or physical acts or conduct toward the student which created an objectively hostile school environment that meets one or more of the following conditions:
  - a. Places the student in reasonable fear of harm to the student's person or property.
  - b. Has a substantially detrimental effect on the student's physical or mental health.
  - c. Has the effect of substantially interfering with a student's academic performance.
  - d. Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.
3. The evidence must show that the harassment is likely to continue despite the efforts of school officials to resolve the situation.
4. Changing the student's school district will alleviate the situation. *In re Hannah T.*, 25 D.o.E. App. Dec. 26 (2007).

**12. Question: What constitutes a severe health need?**

**Answer:** An applicant may qualify under the severe health need provision if one of the following exists. An official in the **resident** district determines if the applicant qualifies under the criteria of severe health need.

1. The serious health condition of the child is one that has been diagnosed by an appropriate healthcare provider, and the diagnosis has been provided to the district of residence.

2. The serious health condition is neither short-term nor temporary.
3. The district has been provided with the specifics of the child's health needs caused by the serious health condition and knows, or should know, what specific steps its staff must take to meet the child's needs.
4. School officials, upon notification of the serious health condition and the steps to be taken to meet the child's needs must have failed to implement such steps or, despite the district's efforts, its implementation of the steps was unsuccessful.
5. A reasonable person could not have known before March 1 that the district could not, or would not, adequately address the child's health needs.
6. It can be reasonably anticipate that a change in the child's school district will improve the situation.

Each case is to be decided on its own merits, keeping in mind that 282.18(5) is the one subsection of the Iowa Code in which the Legislature has specifically admonished districts and the State Board to act "in the best interest of the affected child." Where there is doubt, the benefit of that doubt is to be accorded to the child.

**13. If a building in the district is closed after March 1, do the students in that building qualify for "good cause" under open enrollment?**

**Answer.** No. Students do not become eligible for late-filed open enrollment if one of the attendance centers is closed or if there is a change in the school program (curriculum, courses, etc.). However, if an accredited non-public school closes, parents of students in the school have the option to open enroll.

**14. Question: When does a student's open enrollment end?**

**Answer:** Open enrollment terminates when the student graduates, moves into the receiving district, moves out of state, moves into another Iowa district and chooses to attend the new resident district, attends an accredited nonpublic school, or drops out of school. If a student is placed temporarily in foster care, a juvenile detention center, a treatment facility, or similar placement, the open enrollment status will automatically be reinstated when the student returns.

**15. Question: Does an open enrollment request have to be renewed annually?**

**Answer:** No, as long as the receiving district remains the same, open enrollment to that district continues until the student graduates or until the parents/guardians notifies the district that they desire to terminate open enrollment.

**16. Question: What options are available to an open enrolled student whose parent / guardian changes the district of residence?**

**Answer:** If the parent / guardian changes the district of residence, the options are to have the student stay in the current receiving district, open enroll the student to another district, or enroll the student in the new district of residence as long as they remain a resident of Iowa.

**17. Question: What is the “Junior/Senior rule?”**

**Answer:** The Junior/Senior Rule allows 11th and 12th grade students that move out of a district to return to the district that he/she attended during the preceding school year, tuition-free, until they graduate even though they are no longer residents of the district. These students do not have to file open enrollment. This does not apply to students that move out of state. Iowa Code section 257.6(d)

**18. Question: What happens if the application for open enrollment is denied?**

**Answer:** All appeals filed as an original court action in Iowa District Court unless the application for open enrollment claims harassment or if the child has a serious health condition that the resident district cannot adequately address. Appeals should be filed in district court in the county in which the primary business office of the district is located.

The State Board of Education does not hear appeals unless one of the follow claims was made as a basis for good cause.

- Child has serious health condition (see #12)
- Child has experienced pervasive harassment (see #11)

Appeals related to these two issues may be heard by the Iowa State Board of Education under the procedure in Iowa Code Chapter 290. All other appeals must go through district court.

**19. Question: Are open enrollment forms public documents?**

**Answer:** Yes, although districts must remove certain confidential information before releasing the form under the open records law in Iowa. Iowa Code section 22.7(1).



## Eligibility / Qualification Questions

**20. Question: May a student who requires special education programs or services take advantage of open enrollment?** **Answer:** Yes. The same rules apply to open enrollment for special education as general education students. The proposed receiving district must have an appropriate special education instructional program for the student and must have adequate classroom space.

**21. Question: May a student who receives competent private instruction (CPI) take advantage of open enrollment?**

**Answer:** Yes. Parents must complete an application form that is available in the central office of Iowa school districts. The form is also available via the Department's web site at [www.state.ia.us/educate/](http://www.state.ia.us/educate/). The completed form must be filed with both the resident and receiving district by March 1 of the year preceding the school year for which open enrollment is desired. 281-17.3(2) If the district of residence has a voluntary desegregation plan, the application should only be filed with the district of residence.

**22. Question: At what age is a student eligible for open enrollment?**

**Answer:** Regular education students are eligible for grades K – 12, as well as for pre-Kindergarten programs if the student is 5 years of age on or before September 15. *Colby Miller, 20 D.o.E. App. Dec. 001*. In most cases, students that are younger than 5 years old do not qualify for open enrollment.

- Students cannot open enroll into Statewide Voluntary Four Year Old Preschool programs.
- Students who require special education programs or services are eligible from birth to age 21. Note: Students that qualify for open enrollment under the age of 5 do NOT automatically qualify for continuation when entering kindergarten. Students, who attend pre-kindergarten in a district other than their resident district, whether in a public or private pre-school, do not qualify for continuous open enrollment based on that enrollment.

**23. Question: How does a district's diversity plan impact open enrollment?**

**Answer:** Five districts in Iowa have a board adopted plan to keep the balance of students in the district. Each plan specifies the percentage of students that can open enroll in and out of the district determined to balance diversity factors. A district may deny a timely filed application that would adversely impact the plan. An appeal from a denial must be filed as an original action in the Iowa District Court for the county in which the primary business office of the district is located.

The following districts have approved voluntary diversity plans: Davenport, Des Moines, Postville, Waterloo, and West Liberty.

**24. Question: May a student use open enrollment to attend a school district in another state?**

**Answer:** No. The open enrollment law in Iowa Code section 282.18 is solely for attendance in Iowa school districts. Clarke Children, 20 D.o.E. App. Dec. 117.

**25. Question: May a student who was suspended or expelled from one district open enroll into another district?**

**Answer:** No, not until the student has been reinstated in the district from which s/he was suspended or expelled.

**26. Question: May a receiving district suspend or expel a student who is open enrolled into the district?**

**Answer:** Yes. The policies and procedures of the receiving district apply to open enrolled students to the same extent as to resident students. If an open enrolled student is suspended or expelled by the receiving district, the student may not transfer back to the resident district or to an alternative-receiving district until reinstated for attendance by the receiving district. Chapter 281

**27. Question: Which district's rules and policies govern an open enrolled student?**

**Answer:** Those of the receiving district. The receiving district is also responsible for providing Post Secondary Enrollment Option (PSEO), alternative education, and driver education programs.

**30. Question: What are the interscholastic athletic eligibility rules for high school students who open enroll?**

**Answer:** In most cases, a high school student who open enrolls is ineligible for varsity athletic competition during the student's first 90 consecutive school days of enrollment in the receiving district. Some, but not all, exceptions to this general rule of ineligibility are as follows:

1. The sending district does not offer the sport in question.
2. The sending district was dissolved and merged with one or more other districts.
3. The sending district whole-grade shares with another district for the student's grade level.
4. Before making the open enrollment request, the student has attended the receiving district for at least one year in one of the following ways:

(1) pays tuition; (2) qualifies under a sharing agreement, (3) is a resident student.

31. **Question: What criteria determine residency for a student?**

**Answer:** The residency of a student is determined by physical presence **for a primary purpose unrelated to school**. The home in which the student is living determines the residence even if the parent / guardian is not living in the same home with the child.

- A mailing address does not constitute residency.
- An apartment rented for the purpose of attending school does not establish residency.
- In the case of shared custody, parents/guardian must designate ONE district of residence.
- The rule of thumb is that residency is determined by where the child sleeps most nights for the week.

32. **Question: Which district pays tuition for a student that moves during the year and continues under open enrollment?**

**Answer:** When a family moves and the choice is to leave the pupil under open enrollment (or to open enroll to another school district), the ORIGINAL district of residence shall be responsible for payment of the cost per pupil for the balance of the school year.

### Special Education Questions

33. **Question: Can a receiving district terminate open enrollment of a student newly staffed into a special education program?**

**Answer:** A receiving district cannot unilaterally terminate the open enrollment of a special education student, or any other student. Open enrollment only terminates under the circumstances listed in rule 17.8(10).

34. **Question: Can a receiving district terminate open enrollment if the district cannot provide appropriate programming for a student?**

**Answer:** While a receiving district can deny open enrollment if it asserts it does not have an appropriate program (subject to procedural protections in Rule 17.11); it cannot terminate open enrollment if it determines it does not have an appropriate placement. In that case, the child's team must meet and select a new placement. Open enrollment would continue.

35. **Question: If a sending district has a special education program that can meet the needs of a student with an IEP, can the application for open enrollment be denied?**

**Answer:** No. The appropriateness of the sending district's placement is not at issue. Rule 17.11.

36. **Question: Can the receiving district make a decision to place a student with an IEP in a special education program in another district?**

**Answer:** Yes, if the receiving district's program is not appropriate. If a placement is made into another district, open enrollment continues with the receiving district contracting with the new placement and billing actual costs to the sending district. If a parent disagrees with the decision to place the child in a placement outside of the receiving district, the parent may use any of the special education dispute resolution options. Special Education Rule 41.504.

37. **Question: If transportation is part of a student's IEP, must the receiving district provide transportation for a special education student?**

**Answer:** If transportation is a related service on a child's IEP and the child's parents open enroll the child to another district, the parents waive transportation as a related service. Districts may elect to provide it, but are not required to provide it. Special Education Rule 41.412(6).

38. **Question: Can a parent demand that the receiving district create an appropriate program for an open-enrolled student with an IEP?**

**Answer:** No. A public school district must maintain and have available a continuum of alternate placements (Special Education Rule 41.115); however, the law does not require that the district have all points on the continuum available within district buildings. If the receiving district is not an appropriate placement for the child, the open enrollment request is to be denied.

39. **Must the sending district be involved in a child's IEP team and placement team decisions?**

**Answer:** Yes. The sending district, because it is responsible for the actual cost of the child's special education. Rule 17.11. Special education law requires that IEP teams include a representative with knowledge of and the authority to commit district resources. Special Education Rule 41.321(1); *Letter to Cormany*, 34 IDELR 9 (OSEP 2000). The receiving district is to schedule meetings at a time and place convenient to the sending district (as well as the child's parents). Please note that the sending district may participate by alternative means, such as video or telephone conference calls. If the sending district does not attend,

the receiving district may make decisions; however, the sending district must be given an opportunity to participate.

## Parent Information / Guidelines

### **March 1 Deadline**

March 1 is the deadline to file application form with **resident and receiving** district on or before of the school year prior to the open enrollment year.

If the application is for a kindergarten student, file the application form with both districts on or before September 1 of the school year in which open enrollment is requested.

If the district has a desegregation plan, file the application with **resident** district by March 1.

### **Transport Student to Receiving District.**

Parents are responsible for transporting children that are open enrolled to another district. This applies to all students including those with an IEP. If the need for transportation as a related service is stated in the IEP, as a general rule the parent is responsible for this obligation under open enrollment. If a child open enrolls to a district that is contiguous (borders) to the home district, and the parents' income meets economic eligibility requirements, the family may receive a stipend for transportation or be provided transportation by the district. The stipend for 2010-2011 was \$405 annually per student up to three elementary (K-8) and one secondary (9-12).

### **Athletic Eligibility**

Students that open enroll in grades 9 through 12, **shall not be eligible** to participate in **varsity** contests and competitions during the first 90 school days of transfer. Please contact the Iowa Girls High School Athletic Union at (515) 288-9741 or the Iowa High School Athletic Association at (515) 432-2011 for questions regarding eligibility.

### **Additional Information**

- Approval for one child in a family does not guarantee approval for other children in the same family. Each child in a family must have an open enrollment request filed individually.
- If desiring to change the receiving district, file petition with receiving district by March 1 of the preceding school year.
- Notify the districts concerned if there is any change in the residence of the student during the open enrollment period.
- If terminating the open enrollment, notify both districts involved.
- If open enrollment is denied, the parent / guardian may appeal to Iowa District Court. If the application meets good cause due to alleged repeated acts of

harassment or if the child is alleged to have a serious health condition that the resident district cannot adequately address, an appeal may be filed with the Iowa State Board of Education.

- If the student moves from the district in which s/he currently lives during the term of the open enrollment, it is the parent / guardian's responsibility to notify the former resident district and the new resident district.

### **Appeal Process**

All appeals must be made to an Iowa District Court unless the application for open enrollment claims harassment or if the child has a serious health condition that the resident district cannot adequately address. Appeals should be filed in district court in the county in which the district's administrative office is located.

The State Board of Education does not hear appeals unless one of the follow claims was made as a basis for good cause.

- Child has serious health condition (see page 5 or description).
- Child has experienced pervasive harassment (see page 5 for description).

If the application is denied by the resident district for either of these reasons, the parent / guardian may appeal to the local board of directors. If an application is denied by the local board of directors, the applicant may appeal to the State Board of Education. The appeal should be addressed to: Administrative Law Judge, Department of Education, Grimes State Office Building, 400 East 14th Street, Des Moines, IA 50319-0146. The letter of appeal must be postmarked within 30 days of the board decision

The appeal letter must contain the following information:

1. Name, address, and daytime phone number of the person appealing
2. Name and grade level of child/children involved in the appeal (in case of expulsion, open enrollment, suspension, etc.)
3. Name of the school district making the board decision that is being appealed
4. Date the local board decision was made
5. Brief statement of reasons why the decision is being appealed
6. Notarized signature of the person appealing the decision
7. Other information may be included if desired

### **Instructions for School Districts Resident AND Receiving Districts**

**Notification** – Districts must notify parents of open enrollment deadlines, transportation assistance, and possible loss of athletic eligibility for open enrollment of students by September 30 of each school year. Notification shall also be provided to any parent / guardian who transfers into the district during the school year. It may be helpful to provide information more than one time during the year.

**Board / Superintendent Action** - The board of the **receiving** district shall act on an open enrollment request **no later than June 1** of the school year proceeding the school year for which the request is made. The receiving district superintendent shall provide notification of either approval or denial of the request to the parent / guardian and to the resident district within **five days** of board action.

The Board may give superintendents the authority to approve, but not deny applications.

- If the applicant files under good cause, the board must act within thirty (30) days of receiving the request. The receiving district will notify the resident district and the parent within 15 days of board action to approve or deny an application.
- **Denial** - In order to deny OE based on class size of general or special education classrooms, the district must adopt an "insufficient classroom space" policy and review this policy annually. A district can deny an application based on insufficient classroom space or lack of appropriate program, or if a student will be under suspension or expulsion at the time of enrollment.
- **Late filed applications** – The **receiving** district has an obligation to **deny** applications filed after March 1 unless the application meets good cause (see question # 10).
- The resident district does not have authority to act on an application unless the applicant claims harassment or severe health need or has a diversity plan.

### **What if the receiving district approves an application (inappropriately) after March 1?**

Effective July 1, 2006, a resident district may appeal a decision of a receiving district's board to approve a late-filed enrollment request to the Director of the Iowa Department of Education.

If the resident district believes that a receiving district has approved a late-filed open enrollment request without good cause, the resident district may, within fifteen days after the board action by the receiving district follow these procedures:

- Submit an appeal to the director of the Department of Education.
- The director, or director's designee, shall attempt to mediate (telephonic) the dispute to reach approval by both parties.
- Director, or designee, shall conduct a hearing and hear testimony from both boards (and designees).



- Director shall render a decision within ten days following the hearing.
- The board may appeal the decision to the Director of the State Board within five days of the decision.

### **Billing Instructions for School Districts**

The receiving district should bill quarterly for **tuition based on a per diem rate.** Partial quarters should be based **on a per diem rate.** This applies to kindergarten students as well as those in grades 1 through 12.

Tuition for students with an IEP should be based on actual costs.

Transportation expenses incurred by the resident district may be deducted tuition sent to the receiving district.

<b>Situation</b>	<b>Payment</b>
Open enrollment approved prior to October 1	Full tuition is paid to receiving district. This <u>includes</u> applications filed: <ul style="list-style-type: none"> <li>• after March 1 with good cause</li> <li>• kindergarten students</li> <li>• pre-kindergarten with IEP</li> <li>• CPI or students from a private school that were not enrolled the previous year in a public school</li> <li>• CPI students that are dual enrolled (partial payment based on enrollment)</li> </ul>
Open enrollment filed after October 1	<b>Tuition is <u>not</u> paid to receiving district even if the application was approved with good cause.</b> The resident district is not obligated to pay additional costs such as special education weighting and transportation assistance if an application was filed after October 1 (count date).

### **STUDENTS IN FOSTER CARE**

Chart of authorized applicant and responsibility for tuition.

<b>Student in Foster Care</b>	<b>Parental Rights</b>	<b>Permission to OE</b>	<b>Cost of Tuition/Expenses</b>
<b>IEP</b>	Parents have rights	Parent	Parent Resident District
	Parents do not have rights	DHS or designee	State of IA via DE (Steve Crew)



<b>Non IEP</b>	Parents have rights	Parent	Foster Care District
	Parents do not have rights	DHS or designee	Foster Care District

## **RESIDENCY ISSUES**

Iowa law states that a person between five and 21 years of age is of school age, and is to be provided a tuition-free education and that “nonresident children shall be charged the maximum tuition rate as determined in section 282.24(1).” State law prohibits districts from rebating any portion of tuition.

"Resident" is defined as a person who is physically present in a district, whose residence has not been established in another district by operation of law, and who meets any of the following conditions:

1. Is in the district for the purpose of making a home and not solely for school purposes.
2. Lives in a juvenile detention center, foster care facility, residential correctional facility or residential facility in the district.

## **RECORD KEEPING**

The following suggestions are made to assist the district in keeping an accurate count of open enrollment students. These are not requirements, but can reduce confusion about the status of students and inaccurate billing between districts.

1. Have registration personnel check carefully for any change of address for an open enrolled pupil.
2. Ask teachers, bus drivers, and other personnel to alert administrative staff to any change of address of an open enrollment pupil that might happen during the school year.
3. Exchange lists of open enrollment pupils with other districts just prior to count day.
4. Have a process in place for notifying other districts of any movement of an open enrollment pupil either out of the district or into the district.

## **CERTIFIED ENROLLMENT CODING**

Did the student physically reside in your district last year?	Have parental rights been severed?	Does the student currently have an IEP?	Code the student's resident district as...	The student's entry code is...
No	No	No	Yours	1
No	Yes	No	Yours	1

No	No	Yes	Resident district of parents	4
No	Yes	Yes	9098 (State)	15
Yes	No	No	Yours	1
Yes	Yes	No	Yours	1
Yes	No	Yes	Yours	1
Yes	Yes	Yes	Yours	1

## Transportation Assistance Guidelines

Transportation assistance for those who qualify according to income guidelines (see chart below) is available only **between contiguous districts** and shall be deducted from the amount sent to the receiving district. In case of road construction or road relocation, a district may drive into another district to pick up OE students if and only if there was road construction or road relocation that makes this necessary.

The resident district may discharge this obligation in one of three ways:

1. The resident district may actually provide transportation for the pupil(s) to a stop on the bus line of the receiving district.
2. The resident district may allow the receiving district to enter the resident district to pick up the pupil(s) if the receiving district wishes to. (Failure of the receiving district to decide to do this will not discharge the resident district's obligation for transportation assistance.)
3. The resident district may provide a parent / guardian reimbursement.

**IMPORTANT:** The resident district has the right to determine which option will apply. This is not a parent / guardian choice. If option 3 is chosen, the amount to be paid to the parent is determined as follows:

- A. This transportation assistance amount will be calculated by December 1. The transportation reimbursement amount shall be the state calculated average as determined in 285.1(3) or the local cost per pupil for the previous year as specified on the Annual Transportation Report prepared, whichever is lower. The amount for 2010-2011 was \$405 (annual).
- B. This amount is limited to reimbursement for three elementary (K-8) and one secondary (grades 9 -12).
- C. The amount of transportation assistance can be prorated according to the date of application submission.

- D. Transportation expenses incurred by the resident district may be deducted from the cost per pupil amount it is required to send to the receiving district for an open enrollment pupil. This may be prorated after the start of the year.

If a parent / guardian qualifies for transportation assistance, application for that assistance should be filed with the resident district. Verification of income should be attached to the OE Application. Parents should be reminded that the district must be notified if the family income changes by \$50 or more per month. Parents may apply for transportation assistance by indicating on the application and attaching verification of income. It is recommended that the parent complete a free and reduced lunch application if one has not been filed.

A table to determine income eligibility for open enrollment transportation assistance is shown on page 14.

These guidelines reflect the revisions made in the Federal Poverty Guidelines that is effective for July 1, 2011 through June 30, 2012. **These guidelines are NOT the same as the guidelines for Free and Reduced Fees.**

### **TRANSPORTATION ASSISTANCE**

Income Eligibility Guidelines - Effective 7-1-2011 to 6-30-2012

<u>Household Size</u>	<u>Yearly</u>	<u>Monthly</u>	<u>Twice Per Month</u>	<u>Every Two Weeks</u>	<u>Weekly</u>
1	\$17,424	\$1452	\$726	\$670	\$335
2	\$23,536	\$1961	\$981	\$905	\$453
3	\$29,648	\$2471	\$1235	\$1140	\$570
4	\$35,760	\$2980	\$1490	\$1375	\$688
5	\$41,872	\$3489	\$1745	\$1610	\$805
6	\$47,984	\$3999	\$1999	\$1846	\$923
7	\$54,096	\$4508	\$2254	\$2081	\$1040
8	\$60,208	\$5017	\$2509	\$2316	\$1158
Additional family member	\$6112	\$509	\$255	\$235	\$118

**Definition of Income:** "Income" means income before any deductions such as income taxes, social security taxes, insurance premiums, charitable contributions and bonds. It includes the following:

- (1) Monetary compensations for services, including wages, salary, commissions or fees;

- (2) Net income from non-farm self-employment;
- (3) Social Security;
- (4) Dividends or interest on savings or bonds or income from estates or trusts;
- (5) Net rental income;
- (6) Public assistance or welfare payments;
- (7) Unemployment compensation;
- (8) Government civilian employee or military retirement, or pensions or veterans payments;
- (9) Private pensions or annuities;
- (10) Alimony or child support payments;
- (11) Regular contributions from persons not living in the household;
- (12) Net royalties; and
- (13) Other cash income including income off of a farm. Other cash income would include cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources. Income does not include any income or benefits received under any federal programs that are excluded from consideration as income by any legislation prohibition.

The Open Enrollment Administrative Rules can be found in Chapter 17 under Education Department located at:

<http://search.legis.state.ia.us/nxt/gateway.dll/ar/iac?f=templates&fn=default.htm>

The Open Enrollment statute is Iowa Code section 282.18.

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